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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,
Defendant.

Case No. 5:20-cv-03664-LHK-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF GOOGLE LLC'S
ADMINISTRATIVE MOTION TO SEAL
PORTIONS OF GOOGLE LLC'S
SUBMISSION IN RESPONSE TO
NOVEMBER 12 ORDER ADOPTING IN
PART AND MODIFYING IN PART THE
SPECIAL MASTER'S REPORT AND
ORDERS ON REFERRED DISCOVERY
ISSUES DKT. 331, 336**

Referral: Hon. Susan van Keulen, USMJ

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney at Quinn Emanuel
3 Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action. I make
4 this declaration of my own personal, firsthand knowledge, and if called and sworn as a witness, I
5 could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of Google
7 LLC’s Administrative Motion to Seal portions of Google’s Submission in Response to November
8 12 Order Adopting in Part and Modifying in Part the Special Master’s Report and Orders on
9 Referred Discovery Issues Dkt. 331, 336 (“Special Master Submission”), which consists of Golueke
10 Declaration, Exhibit A, and Exhibit B. In making this request, Google has carefully considered the
11 relevant legal standard and policy considerations outlined in Civil Local Rule 79-5. Google makes
12 this request with the good faith belief that the information sought to be sealed consists of Google’s
13 confidential and proprietary information and that public disclosure could cause competitive harm.

14 3. Google respectfully requests that the Court seal the entirety of Exhibit A to Golueke
15 Declaration in support of the Special Master Submission, and the redacted portions of Exhibit B to
16 Golueke Declaration in support of the Special Master Submission.

17 4. The information requested to be sealed contains Google’s confidential and
18 proprietary information regarding highly sensitive features of Google’s internal systems and
19 operations, including the various types of data sources which include information related to
20 Google’s data logs, internal data structures, internal identifiers and their proprietary functions, that
21 Google maintains as confidential in the ordinary course of its business and is not generally known
22 to the public or Google’s competitors.

23 5. Such confidential and proprietary information reveals Google’s internal strategies,
24 system designs, and business practices for operating and maintaining many of its important services,
25 and falls within the protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 1-
26 2.

27 6. Public disclosure of such confidential and proprietary information could affect
28 Google’s competitive standing as competitors may alter their identifier system designs and practices

1 relating to competing products. It may also place Google at an increased risk of cyber security
 2 threats, as third parties may seek to use the information to compromise Google's data sources,
 3 including data logs, internal data structures and internal identifier systems.

4 7. The other information requested to be sealed is also in Exhibit B to Golueke
 5 Declaration in support of the Special Master Submission, which contains, summarizes, or otherwise
 6 reflects material Plaintiffs has ordinarily designated as "Confidential" or "Highly Confidential –
 7 Attorneys' Eyes Only," which I have provided below in accordance with Civil Local Rules 79-5(d)
 8 and (e):

Document	Portions to be Filed Under Seal
Exhibit B to Golueke Declaration in support of the Special Master Submission	Portions Highlighted in Blue at 1-20

12 8. For these reasons, Google respectfully requests that the Court order the Exhibits A
 13 and B of the Golueke Declaration to be filed under seal.

14 I declare under penalty of perjury of the laws of the United States that the foregoing is true
 15 and correct. Executed in San Francisco, California on November 18, 2021.

17 DATED: November 18, 2021

QUINN EMANUEL URQUHART &
 SULLIVAN, LLP

20 By /s/ Jonathan Tse

21 Jonathan Tse

22 *Attorney for Defendant*